

IV. REMARKS

Claims 1, 7, 12, 13 and 30 are amended. Claims 1-34 are pending in this Application.

The specification is amended to overcome the rejection of claim 13 under 35 U.S.C. 112, first paragraph. No new matter was added. Support for the language added to the specification exists in claims 12 and 13.

The Applicant respectfully submits that in view of the aforementioned amendment to the specification Claim 13 now meets the definiteness criteria under 35 U.S.C. 112, second paragraph. The rejection should be withdrawn. Claim 13 has been amended to delete the term "required". This Amendment is not a narrowing amendment made for patentability reasons.

Claims 1-3, 5, 7, 8, 10, 12, 14, 16 and 30 are patentable under 35 U.S.C. 102(e) over Schwartz et al., U.S. Patent No. 6,462,286 ("Schwartz"). Claim 1 recites, a module capable of metering value and having a postal security device and a plurality of disabled operating features that are not available for use. Claim 1 further recites a means for entering the authorization code into the value metering module whereby the desired combination of operating modules having the desired operating features can be placed in communication with the metering value module to create the desired modular mailing system. Schwartz discloses something other than a module capable of metering value and having a postal security device and that the authorization code is entered into the value metering module.

Schwartz discloses an electronic scale system (10) having a scale (11) and a console (13) (Col. 4, L. 20-28). The console

comprises display module (16) and keyboard (17) (Col. 4, L. 49-50). The console (13) also has a memory section (25) with a configuration module (307) (Col. 7, Lines 40-67 - Col. 8, L. 1). The system (10) of Schwartz enables the user to set postage determined by system (10) on a connected postage meter and run through the meter an outgoing letter to be stamped with postage. The accounting information regarding the stamped letter is maintained in system (10). (Col. 18, L. 28-32).

Thus the disclosure in Schwartz is different than a module capable of metering value and having a postal security device. Although the system (10) of Schwartz stores the accounting information regarding the stamped letter this is not the same as the system having a postal security device. The accounting information of Schwartz is stored in accounting files (351) of memory (250, 250c; Col. 8, L. 11-16 and Fig. 9). There is no disclosure of the memory 250 being secure. Furthermore, Schwartz discloses that data such as the accounting files can be downloaded through a communications network to a remote computer which, for example, handles billing. This is not the same as the postal security device of Applicant's claim 1. Moreover, the system (10) of Schwartz uses a peripheral postage meter to dispense postage (Col. 18, L. 32-37).

Furthermore, the authorization code of Schwartz is entered into something other than a value metering module as called for in Applicant's claim 1. The postage dispensed or metered in Schwartz is metered by a postage meter connected to the system (10) and not by the console (13) of system (10). This is not what is called for in claim 1. Claim 1 calls for a means for entering the authorization code into the value metering module whereby the desired combination of operating modules having the

desired operating features can be placed in communication with the metering value module to create the desired modular mailing system. Therefore, claim 1 is patentable over Schwartz. Independent claims 7, 12 and 30 are patentable over Schwartz for reasons similar to those described above with respect to claim 1. Claims 2, 3, 5, 8, 10, 14 and 16 depend from claims 1, 7 and 12. While these dependent claims contain their own patentable subject matter, these claims are patentable at least by reason of their respective dependencies.

Claims 9, 15, 17 and 18 are patentable under 35 U.S.C. 103(a) over Schwartz. Applicant submits that Schwartz is not valid prior art under 35 U.S.C. 103(c) because Schwartz only qualifies as prior art under 35 U.S.C. 102(e) and was subject to assignment to and was commonly owned by Assignee Ascom Hasler Mailing Systems, Inc. at the time the claimed invention was made. Therefore, claims 9, 15, 17 and 18 are patentable.

Claims 4, 6, 19, 20 and 22-28 are patentable under 35 U.S.C. 103(a) over Schwartz in view of Cornell et al., U.S. Patent No. 5,898,785 ("Cornell"). As described above, Schwartz is not valid prior art under 35 U.S.C. 103(c). It is also submitted that Cornell fails to disclose or suggest all the features of independent claims 1, 19 and 24.

Claim 1 recites a module capable of metering value and having a postal security device and a plurality of disabled operating features that are not available for use.

Claim 19 recites a postage meter module having security means therein and printing means for printing a postal indicia wherein the postage meter module includes a plurality of disabled operating features that are not available for use. Claim 19

further recites a means for generating an authorization code for enabling certain designated operating features and a means for entering the authorization code into the postage meter module.

Claim 24 recites a module capable of feeding sheets and having a plurality of disabled operating features that are not available for use, means for generating an authorization code for enabling certain designated operating features and means for entering the authorization code into the module capable of feeding sheets.

Cornell merely discloses a mail processing system (1) including a meter vault (3), a mailing machine (5), a printhead control and security module (7), a printer junction board (9) and a plurality of printheads (11) which are ganged together to form a single unit (Col. 3, L. 61-67). The meter vault (3) and printhead control and security module (7) are easily removable from the mailing machine (5) (Col. 7, L. 41-45). Nowhere does Cornell disclose a plurality of disabled operating features or an authorization code for enabling certain designated operating features as called for in claims 1, 19 and 24. Therefore claim 1, 19 and 24 are patentable. Claims 4, 6, 20, 22, 23 and 25-28 depend from claims 1, 19 and 24. While these dependent claims each contain their own patentable subject matter, these claims are patentable at least by reason of their respective dependencies.

Claims 11, 21, 29, 31 and 32 are patentable under 35 U.S.C. 103(a) over Schwartz in view of Durst, Jr. et al., U.S. Patent No. 4,800,504 ("Durst"). Claim 11 depends from claim 7, claim 21 depends from claim 19 as described above and claim 29 depends from claim 24 as described above. Claim 7 recites in part a value metering module having a postal security device and a plurality of disabled operating features, wherein the disabled

operating features are not available for use and means for entering the authorization code into the value metering module for customizing the value metering module with the selected operating features.

Claim 31 recites a customized modular mailing system including a module capable of metering value and having a plurality of disabled operating features that are not available for use and means for generating an authorization code for enabling designated operating features for a feeder function and a stacker function.

Claim 32 recites a customized modular mailing system including a module capable of metering value and having a plurality of disabled operating features that are not available for use and means for generating an authorization code for enabling certain designated operating features for a feeder function and a scale function and a stacker function.

As described above, Schwartz is not proper prior art under 35 U.S.C. 103(c). As such, Durst does not disclose or suggest a plurality of disabled operating features or an authorization code for enabling certain designated operating features as called for in claims 7, 19, 24, 31 and 32.

Durst discloses an interactive outgoing and incoming mailpiece processing system is provided. The system includes structure for processing an outgoing mailpiece for mailing to an addressee. The outgoing mailpiece includes a returnable stationery item bearing an identification code identifying the addressee. The system additionally includes a computer. The computer includes a memory device for storing the identification code. The computer also includes a dispositive data listing for the identification

code. The listing includes data corresponding to an operation to be implemented by the system, and is programmed for causing the system to implement the operation upon sensing the identification code for the listing. The system also includes structure for processing an incoming mailpiece, including the stationery item when it is returned. In addition, the system includes code sensing structure and structure for changing the dispositive data listing, whereby the data corresponding to the operation may be changed. (Abstract). Nowhere does Durst disclose or suggest a plurality of disabled operating features or an authorization code for enabling certain designated operating features. Thus, Durst does not disclose or suggest all the features of claims 1, 19, 24, 31 and 32. Therefore claims 31 and 32 are patentable under 35 U.S.C. 103(a) over Durst. Claims 11, 21 and 29 depend from claims 7, 19 and 24. While these dependent claims contain their own patentable subject matter, these claims are patentable at least by reason of their respective dependencies.

Claims 33 and 34 are patentable under 35 U.S.C 103(a) over Durst in view of Cornell and in further view of Schwartz. As described above, Schwartz is not proper prior art under 35 U.S.C. 103(c) while Durst and Cornell fail to disclose or suggest the features of independent claims 31 and 32 from which claims 33 and 34 depend." It is submitted that because Durst and Cornell individually fail to disclose the features of claims 31 and 32 their combination cannot as well. While claims 33 and 34 each contain their own patentable subject matter, these dependent claims are patentable at least by reason of their respective dependencies.

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly



novel and patentable over the prior art of record, and are in proper form for allowance. Accordingly, favorable reconsideration and allowance is respectfully requested. Should any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

The Commissioner is hereby authorized to charge payment for any fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.

Respectfully submitted,

Janik Marcovici
Reg. No. 42,841

4/24/06

Date

Perman & Green, LLP
425 Post Road
Fairfield, CT 06824
(203) 259-1800
Customer No.: 2512

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service on the date indicated below as first class mail in an envelope addressed to the Mail Stop Amendment, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date:

4/24/06

Signature:

Person Making Deposit